



Pastoral Communities & Land Rights

Theme/Sub Theme: Inclusive Land Tenure Security

Organiser(s)/Institution(s): Center for Pastoralism

Approximately 35 million pastoralists, spread across 200 communities, manage a livestock population of over 50 million animals. As with tribals and other forest dwellers, pastoralists' access to land and forests has been affected primarily because of the process of consolidation of state forests with the creation of reserve forests, wildlife sanctuaries and other categories of forests. Notification of state forests has led to pastoralists losing traditional access to and control over grazing lands as in the case of the Banni grassland in Kutch (notified as protected forest), and the Bara Bangahal area in Himachal's Kangra District (demarcated as a Wildlife Sanctuary). These issues have been raised in multiple fora as part of the effort to secure rights of access and use by forest-dwelling and forest-dependent communities.

Pastoralist mobility adds a layer of tenurial complexity that has resulted in comparatively few claims being filed by pastoralist communities under the Forest Rights Act. This mobility results in pastoralist communities using resource rich habitats, such as the extensive alpine pastures of the Himalayas, the arid and semi-arid expanses of Rajasthan and Gujarat, and the grasslands of the Deccan Plateau for part of the year, and village commons in densely settled agricultural communities for a different part of the year. In the former, pastoralist need for access to grazing resources is contested primarily by the forest department, which sees pastoralism as a threat to biodiversity, wildlife, and other ecosystem services. In the latter instance, it is agricultural communities competing for village commons that pose the greatest challenge to pastoralist access to grazing areas. Tenure insecurity characterizes pastoralist rights over both situations.

Although the FRA makes provisions for recognizing pastoralist rights, there have been relatively few attempts on part of pastoral communities to use the FRA towards securing more assured access to forage. CFR claims over the Banni grassland have been made by the Maldhari community in Kutch, Gujara. These have been approved by both the SDC and the SDLC. Titles are yet to be issued by the state government. In Himachal Pradesh, claims have recently been filed by the Gaddi community, staking claim to traditional grazing rights in what has been declared the Bara Bangahal Wildlife Sanctuary. These claims have yet to be processed. These two are isolated examples within pastoral communities, although there is growing interest amongst organizations working on pastoral issues to more pro-actively engage with the FRA as a means of securing herder rights to grazing resources.

We propose to host a panel at the IDLC in the expectation of both sharing the current status and understanding on pastoralism and the FRA as well as in articulating how we might move forward towards a greater broad-basing of these efforts. Specific objective include:

- Present background on pastoral communities and their rights over land and forest resources
- Key provisions in FRA addressing rights of pastoral communities
- Status of implementation of FRA provisions relating to pastoral communities and key implementation issues
- Initiatives taken by pastoral communities and support organizations for claiming CFR rights; examples of Banni and Bara Bangal in HP.
- Way forward and strategies for addressing rights of pastoral communities

The panel will include presentations by **Tushar Dash, Ramesh Bhatti (Sahjeevan), Akshay Jasrotia and Amit Rathi (CfP)**.

